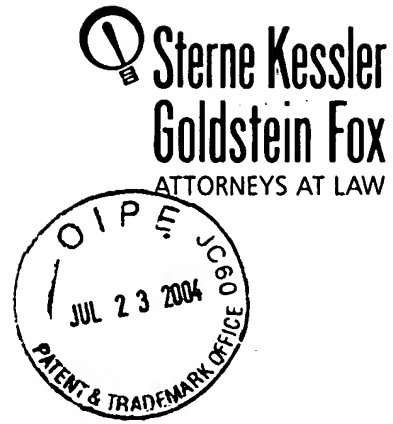


1657 IFIN



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July 23, 2004

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Art Unit 1651

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/046,667; Filed: January 16, 2002
For: **Reagent for the Isolation of RNA**
Inventor: Domenica Simms
Our Ref: 0942.5220001/RWE/CJW

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 (1 sheet) and accompanying reference; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
July 23, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Christopher J. Walsh". The signature is fluid and cursive, with the first name "Christopher" written in a larger, more prominent script than the last name "Walsh".

Christopher J. Walsh
Agent for Applicant
Registration No. 55,709

CJW/dab
289719_1.DOC
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Simms, Domenica

Appl. No.: 10/046,667

Filed: January 16, 2002

For: **Reagent for the Isolation of RNA**

Confirmation No.: 3021

Art Unit: 1651

Examiner: Prats, Francisco Chandler

Atty. Docket: 0942.5220001/RWE/CJW

Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of the document is also provided.

The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's First Supplemental Information Disclosure Statement filed June 21, 2004, in connection with the above-captioned application.

In Applicant's First Supplemental IDS filed June 21, 2004, the Examiner's attention was drawn to the European Examination Report for EP 98 915 405.9, which was mistakenly referred to as the European equivalent of the present application. EP 98 915 405.9 is, in fact, the European equivalent of co-pending U.S. Patent Application No.

09/058,350, Domenica Simms, filed April 10, 1998, and cited as document AT6 in Applicant's First Supplemental IDS, not the present application.

Reference was made to the European Examination Report for stating the relevance of JP 61-132189 A, submitted as document AN1 in Applicant's First Supplemental IDS, which is in the Japanese language.

In accordance with M.P.E.P. § 609, "[i]f a complete translation of the information into English is submitted with the non-English language information, no concise explanation is required." Applicant submits herewith an unverified English language translation of JP 61-132189 A, cited as Document AR11. Unverified English language abstracts of document AN1 were also submitted as Document AR7 in Applicant's First Supplemental IDS. Reference to the European Examination Report for EP 98 915 405.9 is no longer necessary to determine the relevance of JP 61-132189 A to the claims of the present invention.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Christopher J. Walsh
Agent for Applicant
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Date: July 23, 2004

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FORM PTO-1449

ATTY. DOCKET NO.
0942.5220001/RWE/CJW
FIRST NAMED INVENTOR
Simms, Domenica
FILING DATE
January 16, 2002

APPLICATION NO.
10/046,667

SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ART UNIT
1651

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|----|--------------------|------|------|-------|-----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
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| | AJ | | | | | | |
| | AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|----|--------------------|------|---------|-------|-----------|-------------|
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
| | AN | | | | | | Yes No |
| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|-----------|---|
| | AR | <u>11</u> | Unverified English translation of Japanese Publication No. JP 61-132189 A (Document AN1). |
| | AS | | |
| | AT | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.